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OFFICE OF PETITIONS

In re Application of	:	
Herbage et al.	:	
Application No.: 10/763789	:	DECISION ON
Filing or 371(c) Date: 01/23/2004	:	PETITION
Attorney Docket Number: A310429.2US	:	

This is a decision in response to the Renewed Petition under 37 C.F.R. § 1.181," filed June 21, 2007.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely reply to the Office communication, mailed June 7, 2006. The Office communication set a one (1) month period for reply. Extensions of time under 37 CFR 1.136(a) were available. No complete and proper reply having been received, the application became abandoned on July 8, 2006. A Notice of Abandonment was mailed January 18, 2007.


With the present renewed petition, Applicant has demonstrated non-receipt of the Office communication by a preponderance of the evidence.

In view of the foregoing, the petition is **granted**. The holding of abandonment is hereby withdrawn.

No petition fee has been charged, and none is due.

The application will be referred to the Technology Center Art unit 3641 for re-mailing of the Office communication.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


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Office of Petitions